

**ASSEMBLY BILL**

**No. 1118**

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**Introduced by Assembly Member John A. Pérez**

February 18, 2011

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An act to add Section 51882 to the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

AB 1118, as introduced, John A. Pérez. Pupil instruction: health education: organ and tissue donation.

(1) The Comprehensive Health Education Act of 1977 requires the State Department of Education to prepare and distribute to school districts guidelines for the preparation of comprehensive health education plans, and, in cooperation with county offices of education that desire to participate, to assist school districts in developing comprehensive health education plans and programs.

This bill would require school districts to offer pupils who are enrolled in health classes during grade 9 or 10 at least 15 minutes of instruction on organ procurement and tissue donation designed to develop a knowledge of the potentially lifesaving results achieved through organ and tissue transplantation. By requiring school districts to provide organ procurement and tissue donation instruction, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) There are more than 100,000 people on the national organ  
4 transplant waiting list, and more than 21,000, or 21 percent, of  
5 those people live in California.

6 (b) Currently only 18 percent of California drivers are designated  
7 as organ or tissue donors.

8 (c) Californians who apply for a California driver's license are  
9 asked whether or not they would like to donate their organs and  
10 tissue. It is important that, if we are asking that question, we are  
11 allowing the individual to make an informed decision.

12 (d) There is an urgent need to educate the public about organ  
13 and tissue donation.

14 SEC. 2. Section 51882 is added to the Education Code, to read:

15 51882. A school district shall offer pupils who are enrolled in  
16 health classes during grade 9 or 10 at least 15 minutes of instruction  
17 on organ procurement and tissue donation designed to develop a  
18 knowledge of the potentially lifesaving results achieved through  
19 organ and tissue transplantation.

20 SEC. 3. If the Commission on State Mandates determines that  
21 this act contains costs mandated by the state, reimbursement to  
22 local agencies and school districts for those costs shall be made  
23 pursuant to Part 7 (commencing with Section 17500) of Division  
24 4 of Title 2 of the Government Code.